

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION

GARDEN CITY BOXING CLUB, INC.,
as Broadcast Licensee of the **May 3, 2003**
DeLaHoya/Campas, Program,

Plaintiff,

-against-

JORGE MEJIA, *et al.*,

Defendants.

**NOTICE OF MOTION
FOR DEFAULT JUDGMENT**

Civil Action No. 05-CV-10705-RCL-MBB
Honorable Reginald C. Lindsay

PLEASE TAKE NOTICE that upon the affirmation of Wayne D. Lonstein, sworn to on the September 22, 2005 and the Plaintiff's Affidavit and Plaintiff's Brief, in support of said application and all the exhibits attached thereto, Plaintiff moves this Court for an order granting a permanent injunction and judgment by default against the Defendants jointly and severally in the Court's discretion as follows:

JORGE MEJIA, Individually, and as officer, director, shareholder and/or principal of **CLUB CULTURAL LATINO AMERICANO, INC. d/b/a CLUB CULTURAL LATINO AMERICANO**

- 1) statutory damages in the sum of TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and enhanced damages in the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and costs and Attorney fees of ONE THOUSAND SEVENTY-FIVE DOLLARS (\$1,075.00)

CLUB CULTURAL LATINO AMERICANO, INC. d/b/a CLUB CULTURAL LATINO AMERICANO

- 1) statutory damages in the sum of TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and enhanced damages in the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for increased damages for Defendant's willful violation of 605(a)
- 3) and costs and Attorney fees of ONE THOUSAND SEVENTY-FIVE DOLLARS (\$1,075.00)

Dated: November 16, 2005
Ellenville, NY 12428

LONSTEIN LAW OFFICE, P.C.

By: /s/ Wayne D. Lonstein
Wayne D. Lonstein, Esq.
Bar Roll No. 629060
Attorney for Plaintiff
1 Terrace Hill, P.O. Box 351
Ellenville, NY 12428
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Our File No. 03-5MA-03G

UNITED STATES DISTRICT COURT FOR THE
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BOSTON DIVISION

GARDEN CITY BOXING CLUB, INC.,
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DeLaHoya/Campas, Program,
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-against-

JORGE MEJIA, *et al.*,

Defendant.

DEFAULT JUDGMENT

Civil Action No. 05-CV-10705-RCL-MBB
Honorable Reginald C. Lindsay

The Summons and Complaint in this action having been duly served upon the Defendants, **JORGE MEJIA**, Individually, and as officer, director, shareholder and/or principal of **CLUB CULTURAL LATINO AMERICANO, INC. d/b/a CLUB CULTURAL LATINO AMERICANO**, and **CLUB CULTURAL LATINO AMERICANO, INC. d/b/a CLUB CULTURAL LATINO AMERICANO**, on **August 2, 2005**, and said Defendants having failed to plead or otherwise appear in this action,

NOW, on motion of WAYNE D. LONSTEIN, of counsel to LONSTEIN LAW OFFICE P.C., attorneys for the Plaintiff, it is hereby

ORDERED, ADJUDGED AND DECREED that Defendant, any of his servants, employees, agents, persons acting in concert with him or acting on his behalf are hereby permanently enjoined and restrained from engaging in the unauthorized reception and interception, whether by air or cable, of Plaintiff's programming, signals or services, or in aiding and abetting any such acts, and are hereby permanently enjoined and restrained from connecting to, attaching, splicing into, tampering with or in any way using Plaintiff's cable wiring without

Plaintiff's authorization, and are hereby permanently enjoined and restrained from manufacturing, selling, purchasing, obtaining, using, or possessing any device or equipment capable of unscrambling, intercepting, receiving, decoding, transmitting, providing, or making available all or part of Plaintiff's programming or services without Plaintiff's express authorization, it is further,

ORDERED AND ADJUDGED that Garden City Boxing Club, Inc., the Plaintiff, does recover jointly and severally of **JORGE MEJIA, Individually**

- 1) statutory damages in the sum of_ TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and enhanced damages in the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and costs and Attorney fees of ONE THOUSAND SEVENTY-FIVE DOLLARS (\$1,075.00)

CLUB CULTURAL LATINO AMERICANO, INC. d/b/a CLUB CULTURAL LATINO AMERICANO, and CLUB CULTURAL LATINO AMERICANO, INC. d/b/a CLUB CULTURAL LATINO AMERICANO,

- 1) statutory damages in the sum of_ TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and enhanced damages in the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for increased damages for Defendant's willful violation of 605(a)
- 3) and costs and Attorney fees of ONE THOUSAND SEVENTY-FIVE DOLLARS (\$1,075.00)

ORDERED AND ADJUDGED that pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, there is no just reason for delay in this Default Judgment as the interest of justice require the issuance of judgment as requested without further delay.

Dated: , 2005

HONORABLE REGINALD C. LINDSAY
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
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BOSTON DIVISION

GARDEN CITY BOXING CLUB, INC.,
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DeLaHoya/Campas, Program,

Plaintiff,

-against-

CERTIFICATE OF SERVICE
Civil Action No. 05-CV-10705-RCL-MBB
Honorable Reginald C. Lindsay

JORGE MEJIA, *et al.*,

Defendants.

The undersigned certifies that on the 21st **day of November**, 2005, your deponent served the following documents by regular mail:

Notice of Motion for Default Judgment
Certificate of Service
Rule 54(b) Statement
Attorney Affidavit of costs and fees
Plaintiff's Memorandum of Law
Plaintiff's Affidavit for Default
Statement for Judgment
Default Judgment

on the following:

Jorge Mejia
46 Shattuck Street
Lawrence, MA 01841

Club Cultural Latino-Americano
81 Common Street
Lawrence, MA 01840

/s/Wayne D. Lonstein
Wayne D. Lonstein